



California Regulatory Notice Register

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*Time-
Dated
Material*

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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**PROPOSED ACTION ON
REGULATIONS**

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**TITLE 13. CALIFORNIA AIR
RESOURCES BOARD**

**NOTICE OF PUBLIC HEARING TO
CONSIDER AMENDMENTS TO THE
VERIFICATION PROCEDURE, WARRANTY
AND IN-USE COMPLIANCE REQUIREMENTS
FOR IN-USE STRATEGIES TO CONTROL
EMISSIONS FROM DIESEL ENGINES**

The Air Resources Board (the Board or ARB) will conduct a public hearing at the time and place noted below to consider adoption of amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines. The proposed amendments would revise, clarify and make specific requirements that pertain to the process for obtaining the ARB's verification of devices or strategies to control emissions from diesel engines.

DATE: January 24, 2008

TIME: 9:00 a.m.

PLACE: California Environmental Protection
Agency
Air Resources Board
Byron Sher Auditorium
1001 I Street
Sacramento, CA 95814

This item will be considered at a one-day meeting of the Board, which will commence at 9:00 a.m., January 24, 2008. Please consult the agenda for the meeting, which will be available at least 10 days before January 24, 2008, to determine the day on which this item will be considered.

If you have a disability-related accommodation need, please go to <http://www.arb.ca.gov/html/ada/ada.htm> for assistance or contact the ADA Coordinator at (916) 323-4916. If you are a person who needs assistance in a language other than English, please contact the Bilingual Coordinator at (916) 324-5049. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

**INFORMATIVE DIGEST OF PROPOSED ACTION
AND POLICY STATEMENT OVERVIEW**

Sections Affected: Proposed amendments to title 13, California Code of Regulations (CCR), sections 2700, 2701, 2702, 2703, 2704, 2705, 2706, 2708, 2709, and 2710.

Background:

In 1998, ARB identified diesel particulate matter (PM) as a toxic air contaminant (title 17, CCR, section 93000). In 2000, ARB adopted the Diesel Risk Reduction Plan (DRRP) with the goal of reducing PM emissions and their associated health risks by 85 percent by the year 2020. The DRRP identified a number of key measures to achieve this goal: more stringent standards for all new diesel-fueled engines and vehicles, retrofitting in-use diesel engines with diesel emission control systems, and the use of low-sulfur diesel fuel.

To support the DRRP, staff developed a verification procedure (Procedure) for in-use diesel emission control systems (systems) that was adopted by the Board in May 2002. The Procedure is used by staff to ensure that in-use diesel emission control systems achieve real and durable PM emissions reductions. It specifies test procedures, warranty requirements, and in-use compliance testing requirements. Systems that meet all of the Procedure's requirements are verified and thus become candidate compliance options for ARB fleet regulations that require the control of diesel emissions from in-use fleets.

In-use fleet regulations, both adopted by the Board and currently under development, rely on having verified diesel emission control systems available to fleet owners as compliance options. Diesel vehicles and equipment for which regulations have already been adopted include transit buses (title 13, CCR, section 2023, et seq.), solid waste collection vehicles (title 13, CCR, section 2021, et seq.), vehicles that belong to public agencies and utilities (title 13, CCR, section 2022, et seq.), mobile cargo handling equipment at ports and intermodal rail yards (title 13, CCR, section 2479), and transport refrigeration units (title 13, CCR, section 2477). A far-reaching in-use regulation is currently under development to control emissions from private on-road heavy-duty diesel vehicles. These regulations provide several paths to compliance, one of which is the installation of verified diesel emission control systems. To support the successful implementation of these regulations, it is therefore critical for the Procedure to be an effective and efficient means to evaluate diesel emission control systems. However, as the verification program has matured, staff has found that a number of amendments to the Procedure are necessary to better serve the needs of the in-use fleet regulations.

Proposed Amendments:

The proposed regulatory language and explanations can be found in the Staff Report: Initial Statement of Reasons (ISOR) and the attachments thereto. The most significant proposed amendments are summarized below:

Conditional Extensions

Staff proposes amendments that would provide for a conditional extension period during which verified diesel emission control systems may be more quickly deployed for use with a greater range of on-road applications than under the current Procedure. The conditional extension would allow applicants with verified systems to apply to extend their verifications to include additional on-road vehicles by submitting some, but not all of the information and data required by the Procedure. If an applicant is granted a conditional extension, the applicant would then be able to sell the system immediately as conditionally verified and would have one year to formally complete the extension by supplying the rest of the information required by the Procedure. Conditional extensions would therefore accelerate the verification of proven technologies for additional on-road applications and provide regulated fleet owners with additional compliance options more quickly than can occur under the current Procedure.

Systems that Only Reduce Oxides of Nitrogen (NOx) Emissions

Currently, the Procedure does not apply to systems that are intended to reduce emissions of NOx only. Staff proposes that the scope of the Procedure be broadened to allow for the verification of systems that reduce emissions of NOx, but not PM, for certain diesel engines. This could help to address the need for additional reductions in emissions of NOx from in-use diesel engines.

Testing Requirements for Off-Road Applications and Fuel-Based Strategies

Staff proposes amendments to the Procedure that would require applicants seeking verification of a diesel emission control system intended for use with variable speed off-road applications to perform emission testing using the transient test procedures outlined in title 13, CCR, section 2423 and the incorporated California Exhaust Emissions Standards and Test Procedures for New 2008 and Later Tier 4 Off-Road Compression-Ignition Engines, Part I-C (New 2008 Off-Road Test Procedures). All systems intended for variable speed off-road engines would be required to undergo three hot-start tests using the Nonroad Transient Cycle (NRTC) as prescribed in the above-referenced procedures. The transition to a transient test cycle is important because most off-road engines and equipment have transient duty cycles that are not well characterized by the steady state test cycle currently required. As a result,

the current test cycle provides a very limited means for evaluating the performance of many kinds of emission control systems. To assist applicants in the transition to the NRTC, staff proposes that applicants be allowed to continue to use the existing steady-state test procedures outlined in the current ARB off-road regulations until December 31, 2008, provided certain criteria are met.

Staff also proposes that all fuel-based control systems follow the verification procedures specified in section 2710. This will ensure similar emissions testing for all fuel-based strategies and require appropriate testing that ensures real and durable emissions reductions from applications subject to emissions requirements in the fleet rules.

Requirements for NOx Reduction Systems

Staff proposes that NOx reduction systems be verified using five levels, called Marks, defined by the lower bounds of NOx reduction performance. The lower bounds are equally spaced apart in 15 percent increments. Systems that achieve NOx reductions of less than 25 percent would not be verified. This proposal would address the growing need for NOx reductions by providing broadly defined verifications that complement existing technologies.

To assist in the evaluation of the in-use performance of aftertreatment-based NOx emission control systems, staff proposes that NOx emissions both upstream and downstream of the NOx device be measured and recorded during durability and field demonstrations. These data provide a record of activity as well as insight into the functioning of a system while in actual use.

Staff also proposes that the Board eliminate the requirement to test an on-road NOx emission control system under conditions that generate off-cycle emissions. One fundamental issue with the current requirement is that there is no standard method or test cycle which is guaranteed to trigger off-cycle NOx emissions for all engine makes and models. Staff has had only limited success with emissions test conditions that reliably result in off-cycle emissions. The proposal should reduce verification costs and simplify the overall process.

Other Amendments

Staff proposes that the Board add additional clarifications of the current requirements. These include deadlines for submitting in-use compliance information, a requirement for specific information to be kept for each diesel emission control system sold, a requirement that verified systems actually be sold in California, and specific requirements regarding verification transfers, acceptance of pre-existing data, system labeling, and sales and installation. These proposed amendments will aid applicants by clarifying the intent of existing requirements.

COMPARABLE FEDERAL REGULATIONS

The United States Environmental Protection Agency (U.S. EPA) has published a draft document, "General Verification Protocol for Diesel Exhaust Catalysts, Particulate Filters, and Engine Modification Control Technologies for Highway and Nonroad Use Diesel Engines," but has not promulgated formal regulations for this verification protocol. That verification protocol is intended to support the voluntary retrofit programs initiated by U.S. EPA, while staff's proposal is to support ARB's DRRP and all the associated in-use fleet regulations. Also, the U.S. EPA protocol does not regulate changes in emissions of nitrogen dioxide caused by emission control systems.

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The Board staff has prepared the ISOR for the proposed regulatory action, which includes a summary of the economic and environmental impacts of the proposal. The ISOR is entitled: Proposed Amendments to the Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines.

Copies of the ISOR and the full text of the proposed regulatory language, in underline and strikeout format to allow for comparison with the existing regulations, may be accessed on the ARB website listed below, or may be obtained from the Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, California 95814, (916) 322-2990 at least 45 days prior to the scheduled hearing on January 24, 2008.

Upon its completion, the Final Statement of Reasons (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on the ARB website listed below.

Inquiries concerning the substance of the proposed regulation may be directed to the designated agency contact persons, Ms. Danielle Robinson, Air Resources Engineer, Retrofit Assessment Section, at (626) 450-6109 or by email at drobinso@arb.ca.gov, or Ms. Shawn Daley, manager, Retrofit Assessment Section, at (626) 575-6972 or by email at sdaley@arb.ca.gov.

Further, the agency representative and designated back-up contact persons to whom non-substantive inquiries concerning the proposed administrative action may be directed are Alexa Malik, Manager, Board Administration & Regulatory Coordination Unit, (916) 322-4011, or Amy Whiting, Regulations Coordinator, (916) 322-6533. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is

available for inspection upon request to the contact persons.

This notice, the ISOR and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB Internet site for this rulemaking at www.arb.ca.gov/regact/2008/verdev2008/verdev2008.htm.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred by public agencies and private persons and businesses in reasonable compliance with the proposed amendments are presented below.

Pursuant to Government Code sections 11346.5(a)(5) and 11346.5(a)(6), the Executive Officer has determined that the proposed regulatory action would not create costs or savings to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to part 7 (commencing with section 17500), division 4, title 2 of the Government Code, or other nondiscretionary cost or savings to state or local agencies.

In developing this regulatory proposal, ARB staff evaluated the potential economic impacts on representative private persons or businesses. In general, ARB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. Participation in the Procedure is purely voluntary, both in its current form and as amended under the proposed action. Presumably, only entities that expect to benefit financially by obtaining verification will do so. While it is true that participation in the verification process is voluntary and there is no prohibition against selling diesel emission control strategies in California that have not been verified by ARB, the Board has adopted and may in the future adopt regulations requiring reductions of PM from in-use diesel vehicles through the application of verified, retrofitted diesel emission control strategies in specific situations.

Entities subject to these retrofit requirements must use verified diesel emission control strategies to comply with these requirements under some compliance options. Consequently, entities that wish to pursue these compliance options will only purchase systems from manufacturers that have obtained ARB's verification. For the most part, the proposed amendments would not raise compliance costs, and in the case of conditional verification may result in cost savings by allowing diesel emission control strategies to be marketed and used before the verification process is completed. Nevertheless, staff is aware of certain cost impacts that a repre-

sentative private person or business may, and in some cases would, necessarily incur in reasonable compliance with the proposed action, should they elect to do so. These cost impacts are discussed below.

The proposed transient testing requirements for off-road applications would require applicants to perform a test cycle that is different from the steady state cycle they currently conduct. Staff is aware of three laboratories that can perform the proposed test cycle with no increase in cost to applicants. Applicants who wish to test their products at an internal laboratory may incur costs if their testing facility cannot presently perform the proposed test cycle. If their laboratory can currently perform transient testing, staff estimates that applicants would spend \$35,000 to \$50,000 to install necessary software and hardware. As an alternative, applicants may use their own staff to develop and install software and hardware. Regardless, these facilities will ultimately incur these costs in order to perform NRTC testing for Tier 4 off-road engine certifications. Applicants whose laboratories can only perform steady state testing may spend \$250,000 to \$3,000,000. Staff estimates that applicants or independent laboratories that wish to build a completely new test cell that can support NRTC testing would spend up to \$5,125,000. Staff estimates that a new steady state test cell costs up to \$1,200,000. Therefore, applicants could incur up to nearly \$4,000,000 in additional costs to build a new test cell that can run the NRTC. In all cases, costs vary greatly depending on the option selected by an applicant, which parties are chosen to do the necessary installations, and what equipment is installed.

Under staff's proposal, applicants with NO_x reduction aftertreatment systems would be required to measure NO_x emissions upstream and downstream of the aftertreatment systems. Staff estimates that applicants who choose to install NO_x sensors upstream and downstream of the aftertreatment system would spend approximately \$5,500 for each emissions measurement system. This estimate includes two NO_x sensors, one mass air flow sensor, one electronic controller, and one datalogger. Many diesel emission control systems already have some of these components thus reducing these costs. In addition, the proposal eliminates emissions testing of NO_x reduction systems under conditions that give rise to significant periods of elevated NO_x emissions. This reduction in testing cost should offset the additional costs applicants would incur in complying with the proposed requirement to measure in-use NO_x emissions.

Applicants with fuel additive-based systems may incur additional costs to comply with the proposed requirement for fuel-based systems. The proposal requires applicants to conduct additional emissions tests, as required in section 2710. The increased cost for these

additional emissions tests is estimated to be \$50,000. Including toxics measurements, the increased cumulative costs are estimated to be up to \$150,000. However, the Procedure currently requires additional emissions analysis for systems (including fuel-additive based systems) that may increase toxic air contaminants or other harmful compounds, which can include emissions analysis required in section 2710. As such, the actual estimated cost increases may be significantly less (closer to \$50,000).

The Executive Officer has made an initial determination that the proposed regulatory action would not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has determined that the proposed regulatory action would not affect the creation or elimination of jobs within the State of California, the creation of new businesses or elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California. A detailed assessment of the economic impacts of the proposed regulatory action can be found in the ISOR.

The Executive Officer has also determined, pursuant to title 1, CCR, section 4, that the proposed regulatory action would not affect small businesses because the Verification Program is a voluntary program and generally does not affect small businesses. Applicants that can meet the requirements and find verification advantageous choose to participate.

In accordance with Government Code sections 11346.3(c) and 11346.5(a)(11), the Executive Officer has found that the reporting requirements of the regulation which apply to businesses are necessary for the health, safety, and welfare of the people of the State of California.

Before taking final action on the proposed regulatory action, the Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SUBMITTAL OF COMMENTS

The public may also present comments relating to this matter orally or in writing at the meeting, and in writing or by email before the meeting. To be considered by the Board, written submissions not physically submitted at the meeting must be received **no later than**

12:00 noon, January 23, 2008, and addressed to the following:

Postal mail: Clerk of the Board, Air Resources Board
1001 I Street, Sacramento, California 95814

Electronic submittal: <http://www.arb.ca.gov/lispub/comm/bclist.php>

Facsimile submittal: (916) 322-3928

Please note that under the California Public Records Act (Government Code section 6250 et seq.), your written and oral comments, attachments, and associated contact information (e.g., your address, phone, email, etc.) become part of the public record and can be released to the public upon request. Additionally, this information may become available via Google, Yahoo, and any other search engines.

The Board requests but does not require that 30 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The Board encourages members of the public to bring to the attention of staff in advance of the hearing any suggestions for modification of the proposed regulatory action.

STATUTORY AUTHORITY AND REFERENCES

This regulatory action is proposed under that authority granted in Health and Safety Code, sections 39002, 39003, 39500, 39600, 39601, 39650-39675, 40000, 43000, 43000.5, 43011, 43013, 43018, 43105, 43600, and 43700 of the Health and Safety Code. This action is proposed to implement, interpret and make specific sections 39650-39675, 43000, 43009.5, 43013, 43018, 43101, 43104, 43105, 43106, 43107, and 43204-43205.5 of the Health and Safety Code and title 17, CCR, section 93000.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340) of the Government Code.

Following the public hearing, the Board may adopt the regulatory language as originally proposed, or with non-substantial or grammatical modifications. The Board may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the

public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action; in such event the full regulatory text, with the modifications clearly indicated, will be made available to the public, for written comment, at least 15 days before it is adopted.

The public may request a copy of the modified regulatory text from the ARB's Public Information Office, Air Resources Board, 1001 I Street, Visitors and Environmental Services Center, 1st Floor, Sacramento, California 95814, (916) 322-2990.

TITLE 16. BOARD OF OPTOMETRY

NOTICE IS HEREBY GIVEN that the Board of Optometry (hereafter "Board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments in writing relevant to the action proposed. Written comments, including those sent by mail, facsimile, or e-mail to the address listed under Contact Person in this Notice, must be received by the Board of Optometry not later than 5:00 p.m. on January 25, 2008.

The Board does not intend to hold a hearing in this matter. If any interested party wishes that a hearing be held, he or she must make the request in writing to the Board. The request must be received at the Board office no later than 5:00 p.m. on December 28, 2007.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text with the exception of technical or grammatical changes. The full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 3025, and 3041.2 of the Business and Professions Code, and to implement, interpret or make specific Section 3041.3 of said Code, the Board is considering changes to Division 15 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Adopt subsection (i) of section 1568.

On September 18, 2006, Senate Bill 579 was signed into law which allows the Board of Optometry to issue a license to practice optometry to an out of state licensed optometrist who meets the requirements contained in the bill. One such requirement is that a person request-

ing licensure must meet the certification requirements of Section 3041.3 to use therapeutic pharmaceutical agents under subdivision (e) of Section 3041.

Specifically, Section 3041.3(b) requires that an applicant who graduated from an accredited school of optometry prior to January 1, 1996 must, among other things, complete a preceptorship service of no less than 65 hours. The preceptor shall be board certified and licensed in good standing with the Medical Board of California.

Because the preceptorship service involves treatment by the participating optometrist, the optometrist must hold a license to practice optometry in the state where the preceptorship service occurs. This requirement would prevent an out of state licensed optometrist from completing the preceptorship service here in California because they would have to be licensed in California as well. The only way to complete the preceptorship service would be to train in another state with a board-certified ophthalmologist who is currently licensed in California.

However, B&P Section 3041.3(d)(1) allows out-of-state applicants to request that the Board waive requirements in Section 3041.3(b) (which includes the 65-hour preceptorship) based on fulfillment of TPA requirements in another state. The Board shall grant the request for a waiver if it determines that the completed requirement was equivalent to California requirements. Business and Professions Code Section 3041.3(d)(3) authorizes the State Board of Optometry to decide all issues relating to the equivalency of an optometrist's education or training and states that a *committee*, as established in 3041.1, shall recommend protocols for use by the Board in this regard.

On January 1, 2000 Senate Bill 929 (Chapter 676) repealed Section 3041.1 of the Business and Professions Code, which effectively abolished the committee. However, reference in Section 3041.3(d)(3) to the committee is erroneous because the committee has been abolished. Consequently the Board has maintained its authority to decide all issues relating to equivalency.

The board recognizes that actual independent experience in TPA is more than equivalent to the training obtained during a preceptorship and proposes to waive the preceptorship for out of state licensed optometrists who graduated before January 1, 1996 with five years of TPA experience.

This proposal would authorize the board to accept an applicant's optometric educational or training experience using therapeutic pharmaceutical agents in another state as equivalent to the 65-hour preceptorship service required in California, provided that the other requirements are met.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: Estimated to increase board revenues for fiscal year 07/08 by approximately \$1,375.00 and an increase to ongoing annual revenue by approximately \$1,500.00.

Nondiscretionary Cost/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The Board of Optometry has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The Board of Optometry has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board of Optometry is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The proposed regulations would not affect small businesses because the regulations only pertain to out of state licensees.

CONSIDERATION OF ALTERNATIVES

The Board of Optometry must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would

be as effective and less burdensome to affected private persons than the proposal described in this notice.

Any interested person may present written statements relevant to the above determinations to the Board of Optometry at the address referred to below.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulation and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board of Optometry at 2420 Del Paso Road, Suite 255, Sacramento, California 95834, or from the Board of Optometry web-site (www.optometry.ca.gov).

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulation is based is contained in the rulemaking file, which is available for public inspection, by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the Web-site listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be Addressed to:

Name: Gary Randolph
Address: 2420 Del Paso Road, Suite 255
Sacramento, CA 95834
Telephone Number: (916) 575-7170
Fax Number: (916) 575-7292
E-mail Address: gary_randolph@dca.ca.gov

The backup contact person is:

Name: Taryn Smith
Address: 2420 Del Paso Road, Suite 255
Sacramento, CA 95834
Telephone Number: (916) 575-7170
Fax Number: (916) 575-7292
E-mail Address: taryn_smith@dca.ca.gov

Website Access: Materials and information regarding this proposal can be found at www.optometry.ca.gov.

TITLE 16. MEDICAL BOARD OF CALIFORNIA

NOTICE IS HEREBY GIVEN that the Medical Board of California is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at the Westin Hotel — Los Angeles Airport, 5400 W Century Blvd., Los Angeles, CA 90045, at **9:00 a.m., on February 1, 2008**. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on **January 21, 2008**, or must be received by the Board at the hearing. The Medical Board of California, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 2018 of the Business and Professions Code, and to implement, interpret or make specific Sections 2005, 2190 and 2420 of said Code, the Medical Board of California is considering changes to Division 13 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend section 1336 in Article 11 of Chapter 1, Division 13, relating to continuing medical education requirements. This rulemaking 1) directs licensees to complete at least 50 hours of approved CME during the renewal cycle, the two-year period immediately preceding the expiration of the license, (which is equivalent to the current requirement of 25 hours per year for a

total of 100 every four years) in order to renew the license, and 2) changes the calculation of CME hours from calendar year to renewal cycle.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

Nondiscretionary Costs/Savings to Local Agencies: None.

Local Mandate: None.

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None.

Business Impact:

The Medical Board of California has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed regulation amendments only clarify time periods for calculating CME hours for license renewal. There are no additional costs associated with these amendments.

Impact on Jobs/New Businesses:

The Medical Board of California has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Medical Board of California is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Medical Board of California has determined that the proposed regulations would not affect small businesses.

The proposed regulation amendments clarify time periods for calculating CME hours for license renewal.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered or that has otherwise been identified

and brought to its attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Medical Board of California has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Medical Board of California at 1426 Howe Avenue, Suite 92, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name:	Kathi Burns
Address:	Medical Board of California 1426 Howe Avenue, Suite 92 Sacramento, CA 95825
Telephone No.:	(916) 263-2417
Fax No.:	(916) 263-2387
E-Mail Address:	regulations@mbc.ca.gov

The backup contact person is:

Name: Kevin Schunke
 Address: Medical Board of California
 1426 Howe Avenue, Suite 92
 Sacramento, CA 95825
 Telephone No.: (916) 263-2368
 Fax No.: (916) 263-2387
 E-Mail Address: regulations@mbc.ca.gov

Website Access: Materials regarding this proposal can be found at www.mbc.ca.gov.

TITLE 16. PHYSICIAN ASSISTANT COMMITTEE

NOTICE IS HEREBY GIVEN that the Medical Board of California (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at Westin Hotel—Los Angeles Airport, 5400 West Century Boulevard, Los Angeles, California 90045, at 9:05 a.m., on February 1, 2008. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the Board at its office not later than 5:00 p.m. on January 21, 2008 or must be received by the Board at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Sections 2018, 3502, and 3510 of the Business and Professions Code, and to implement, interpret or make specific Sections 3502 of said Code, the Board is considering changes to Division 13.8 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Amend Section 1399.540.

The existing regulation requires that a physician assistant may only provide medical services which he or she is competent to perform and which are consistent with the physician assistant's education, training, and

experience and which are delegated in writing by a supervising physician.

Section 3502(a) of the Business and Professions Code states, in pertinent part, that a physician assistant may only perform those medical services as set forth by the regulations of the board when the services are rendered under the supervision of a licensed physician and surgeon.

This proposal would formally recognize that the writing which delegates the medical services to the physician assistant be known as a "Delegation of Services Agreement" and require that it now be signed and dated by both the supervising physician and the physician assistant.

This proposal would also allow the delegation of services agreement to be signed by more than one supervising physician only if the same medical services have been delegated by each supervising physician. A physician assistant may provide medical services pursuant to more than one delegation of services agreement.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Section 17561 Requires Reimbursement: None

Business Impact:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because it only affects individual licensees. Licensees should already rewrite the document. The only impact is that they would be required to sign the document.

The following studies/relevant data were relied upon in making the above determination: none.

Impact on Jobs/New Businesses:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations would not affect small businesses. Because the document is already required by the regulations, the only effort is in signing the document.

CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The Board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Medical Board of California at 1434 Howe Avenue, Suite 92, Sacramento, California 95825 or by email at regulations@mbc.ca.gov.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Kelly Nelson
Address: 1434 Howe Avenue, Suite 92
Sacramento, CA 95825
Telephone No.: (916) 263-2389
Fax No.: (916) 263-2387
E-Mail Address: regulations@mbc.ca.gov

The backup contact person is:

Name: Kevin A. Schunke
Address: 1434 Howe Avenue, Suite 92
Sacramento, CA 95825
Telephone No.: (916) 263-2368
Fax No.: (916) 263-2387
E-Mail Address: regulations@mbc.ca.gov

Website Access: Materials regarding this proposal can be found at: www.mbc.ca.gov.

TITLE 22. EMPLOYMENT DEVELOPMENT DEPARTMENT

Amendment of Title 22, California Code of Regulations, Sections 926-3, 926-4, and 926-5

TAXABLE VALUE OF MEALS AND LODGING

Notice of Proposed Rulemaking

The Employment Development Department (Department) proposes to amend California Code of Regulations (CCR), title 22, sections 926-3, 926-4, and 926-5, by increasing the taxable value of meals and lodging furnished to employees by employers for calendar year 2008. These increases are due to inflation.

The Department will adopt these amendments after considering all comments, objections, or recommendations regarding the proposed action.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CCR, title 22, sections 926-3, 926-4, and 926-5, provide the taxable value of meals and lodging furnished to employees by employers. In order to establish the equivalent amount of cash wages paid by employers who pay a portion of their employee's wages in the form of meals or lodging it is necessary to compute the reasonable cash value of such meals and lodging for unemployment insurance purposes. The Department makes

this computation each calendar year to reflect the upward or downward trend in the cost of living during the previous calendar year. This yearly computation ensures an accurate and up-to-date calculation of the taxable values of meals and lodging for purposes of “wages” within the meaning of Unemployment Insurance Code (UIC) section 926.

According to the United States Department of Labor, Bureau of Labor Statistics [<http://data.bls.gov/cgi-bin/srgate>], the average retail food price index for fiscal year 2006–2007 was 206.9, up 487.8 percent from the average of 35.2 for the base year 1968–69. The average residential rent index for the fiscal year 2006–2007 was 262.6. This is 490.1 percent above the average residential rent index of 44.5 for the base year ended June 30, 1973. The Department uses 1968–1969 as the base year for food and 1972–1973 as the base year for rent because these are the years used by the Bureau of Labor Statistics.

These regulations are being amended to reflect, in substantially the same ratio, the increases in the retail food price index and residential rent index which occurred during the fiscal year ended June 30, 2007.

Notwithstanding sections 926–3(a)(2), 926–4(a)(2), and 926–5(a)(2)(A) of CCR, title 22, which state in part: “For the calendar year 2008 and thereafter, except as modified herein . . .”, the Department recognizes that the amendments made to these sections will not become effective until the regulations are approved by the Office of Administrative Law.

Section 926–3.

This regulatory action will amend section 926–3, relating to the taxable value of board and lodging. In 2008 and thereafter until modified, the taxable value of three meals per day is raised from \$9.30 to \$9.60. The taxable value of breakfast is raised from \$2.00 to \$2.10. The taxable value of lunch is raised from \$2.80 to \$2.90. The taxable value of dinner is raised from \$4.50 to \$4.60. The taxable value of lodging is raised from \$1,041.00 to \$1,092.00 monthly maximum, and from \$33.80 to \$35.40 weekly minimum.

Section 926–4.

This regulatory action will amend section 926–4, relating to the taxable value of meals and quarters furnished to officers and crewmen aboard vessels. In 2008 and thereafter until modified, the taxable value of daily meals is increased from \$9.30 to \$9.60. The taxable value of quarters is increased from \$4.80 to \$5.00 daily for unlicensed personnel. The taxable value of quarters is increased from \$7.00 to \$7.40 daily for licensed personnel.

Section 926–5.

This regulatory action will amend section 926–5, relating to the taxable value of meals and quarters received by fishermen aboard fishing vessels. In 2008 and thereafter until modified, the taxable value of quarters is increased from \$33.80 to \$35.40 a week, or from \$4.80 to \$5.00 a day for periods of less than a week under specified conditions.

Authority and Reference:

Authority: Sections 305, 306 and 310, Unemployment Insurance Code.

Reference: Section 926, Unemployment Insurance Code.

Fiscal Impact:

Anticipated costs or savings in federal funding to the State: None

Anticipated costs or savings to any State Agency: None

Anticipated costs or savings to any local agency or school district: None

Significant statewide adverse economic impact: Approximately 600,478 businesses and small businesses will be affected statewide by these regulations. The types of businesses affected include fisheries, apartment complex management, residential care facilities, restaurants, and domestic workers. The total statewide cost to businesses and small businesses is anticipated to be \$4.3 million; however, the cost to individual businesses is minimal. The regulation does not impose any new reporting requirements on businesses.

The Department has made an initial determination that the proposed amendments will not have a significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states. The Department has determined that the proposed amendments will not affect the creation or elimination of jobs within the State of California; the creation of new businesses or the elimination of existing businesses within the State of California; or the expansion of businesses currently doing business within the State of California.

The costs impact on representative persons or businesses: These proposed amendments will affect only those businesses who furnish meals or lodging to their employees. The Department anticipates that the fiscal impact to the businesses will be negligible.

Anticipated impact on housing costs: These proposed amendments will have no effect on housing costs.

Anticipated nondiscretionary costs or savings imposed upon local agencies: None

Small Business Impact:

These proposed amendments will not have a significant impact on small businesses since the changes reflect small inflationary increases in the taxable value of

meals and lodging for purposes of wages within the meaning of section 926 of the UIC. Essentially, the proposed amendments will only accelerate the point at which an employee reaches the maximum taxable wage limit for the calendar year.

Local Mandate Determination:

The Department has determined that these proposed amendments will not impose any new mandates on school districts or other local governmental agencies or any mandates which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4 of the Government Code.

Consideration of Alternatives:

In accordance with section 11346.5(a)(13) of the Government Code, the Department must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulatory amendments.

Written Comment Period:

Any interested person, or his or her authorized representative, may submit written comments on the proposed action to Laura Colozzi via U.S. mail, e-mail, or fax (see U.S. mail and e-mail addresses and fax number indicated below). **E-mail comments should include true name and mailing address of the commentor. Written comments submitted via U.S. mail, e-mail, or fax, must be received by the Department no later than January 21, 2008, at 5 p.m.** Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

Contact Persons

Inquiries or comments should be directed to:

(Mailing address)	Laura Colozzi, Legal Analyst Employment Development Department P. O. Box 826880 Legal Office, MIC 53 Sacramento, CA 94280-0001
(Hand delivery)	Laura Colozzi, Legal Analyst Employment Development Department 800 Capitol Mall, Room 5020 Legal Office, MIC 53 Sacramento, CA 95814
Telephone No.:	(916) 654-7712

Fax No.: (916) 654-9069
E-Mail Address: eddlegal@edd.ca.gov

Note: In the event Laura is unavailable, inquiries should be directed to the following backup contact persons at the same address as noted above:

Name: Penny Ayers, Legal Analyst
Telephone No.: (916) 654-8410

Questions regarding the substance of the proposed regulatory action should be directed to:

Name: Estela Gallawa, Staff Counsel
Telephone No.: (916) 654-8410

Internet Website Access

The Department has posted on its internet website <http://www.edd.ca.gov> materials regarding the proposed regulatory action. Select "Proposed EDD Regulations."

Public Hearing:

No public hearing has been scheduled on the proposed action. However, if any person desires to submit oral comments, the Department will schedule a public hearing upon that person's written request. **Such request must be received no later than 15 days prior to the close of the written comment period which is 5 p.m. on January 21, 2008.** A request for hearing can be made by contacting the persons noted above.

Modification of Proposed Action:

If the Department makes any additional changes based on public testimony, those changes (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted. Copies of any additional changes regarding the proposed regulatory action will be mailed to all persons who testified or submitted written comments at the public hearing (if one is scheduled); whose comments were received by the agency during the public comment period; and who requested notification from the agency of the availability of such changes.

Final Statement of Reasons:

After the close of the 45-day public comment period, the Department will summarize and respond to all public comments in a written final statement of reasons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

Further Information:

The Department has prepared and has available for review, upon request, the text of the proposed regulations discussed in this notice, written in plain English; a

statement of reasons setting forth the purpose of the proposed regulations; and the information upon which the Department relied in proposing the regulations. (If you received this notice by mail, a copy of the text of the proposed regulations and the statement of reasons were enclosed.) To obtain a copy, contact the persons noted above, or access the Department's Internet website at <http://www.edd.ca.gov>.

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations' process, contact the persons noted above.

TITLE 22. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

NOTICE OF PROPOSED RULEMAKING

TITLE 22, CALIFORNIA CODE OF REGULATIONS

AMENDMENT TO SECTION 12705.
SPECIFIC REGULATORY LEVELS POSING NO SIGNIFICANT RISK

NOTICE IS HEREBY GIVEN that the Office of Environmental Health Hazard Assessment (OEHHA) proposes to establish a specific regulatory level posing no significant risk for nitromethane and amend Title 22, California Code of Regulations, Section 12705(b).¹

PUBLIC PROCEEDINGS

Any written statements or arguments regardless of the form or method of transmission must be received by OEHHA by 5:00 p.m. on **January 22, 2008**, which is hereby designated as the close of the written comment period.

Written comments regarding this proposed action can be sent by mail or by fax addressed to:

Susan Luong
Office of Environmental Health Hazard Assessment
Proposition 65 Implementation Program
P. O. Box 4010

¹ All further regulatory references are to Title 22 of the California Code of Regulations unless otherwise indicated.

Sacramento, California 95812-4010
FAX: (916) 323-8803
Telephone: (916) 445-6900
sluong@oehha.ca.gov

Comments sent by courier should be delivered to:

Susan Luong
Office of Environmental Health Hazard Assessment
1001 I Street, 19th Floor
Sacramento, California 95814

It is requested but not required that hard-copy statements or arguments be submitted in triplicate.

A public hearing to present oral comments will be scheduled only upon request. Such request must be submitted in writing no later than 15 days before the close of the comment period on January 22, 2008. The written request must be sent to OEHHA at the address listed below no later than **January 7, 2008**. A notice for the public hearing, if one is requested, will be mailed to interested parties who are on the Proposition 65 mailing list for regulatory public hearings and posted on the OEHHA web site at least ten days in advance of the public hearing date. The notice will provide the date, time, location and subject matter to be heard.

If a hearing is scheduled and you have special accommodation or language needs, please contact Susan Luong at (916) 445-6900 or sluong@oehha.ca.gov at least one week in advance of the hearing. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

CONTACT

Please direct inquiries concerning processing of the action described in this notice to Susan Luong in writing at the address given above, or by telephone at (916) 445-6900. Cynthia Oshita is a back-up contact person for inquiries concerning processing of this action and is available at the same telephone number.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Safe Drinking Water and Toxic Enforcement Act of 1986, codified at Health and Safety Code section 25249.5 *et seq.* commonly known as Proposition 65 (hereinafter referred to as "the Act"), prohibits a person in the course of doing business from knowingly and intentionally exposing any individual to a chemical that has been listed as known to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual (Health and Safety Code Section 25249.6). The Act also prohibits such persons from knowingly discharging a listed chemical into wa-

ter or onto or into land where such chemicals pass or probably will pass into any source of drinking water (Health and Safety Code Section 25249.5).

For chemicals known to the State to cause cancer, an exemption from the above requirements is provided by the Act when a person in the course of doing business is able to demonstrate that an exposure for which he or she is responsible poses no significant risk or that a discharge which otherwise complies with all applicable requirements would not cause any significant amount of the discharged or released chemical to enter any source of drinking water (Health and Safety Code Sections 25249.9 and 25249.10). A determination that a level of exposure poses no significant risk may be made utilizing regulations that have previously been adopted by OEHHA (Sections 12701–12721). Section 12701 describes alternative methods for making such a determination. Section 12705 sets forth the process by which OEHHA may identify specific regulatory levels for determining “no significant risk” for purposes of Proposition 65.

Details on the basis for the proposed level are provided in the reference cited below, which is incorporated in the rulemaking record. The reference is a risk assessment document prepared by OEHHA describing and summarizing the derivation of the regulatory level listed below.

This amendment to Section 12705(b) would adopt the following “no significant risk” level for one chemical listed as known to cause cancer:

Chemical	NSRL, in units micrograms per day	Reference
Nitromethane	39	OEHHA (2007)

The risk assessment used by the Office of Environmental Health Hazard Assessment to determine the stated level is as follows:

Office of Environmental Health Hazard Assessment (OEHHA, 2007). No Significant Risk Level (NSRL) for the Proposition 65 Carcinogen Nitromethane. OEHHA, Reproductive and Cancer Hazard Assessment Branch, California Environmental Protection Agency, Oakland, December 2007.

AUTHORITY

Health and Safety Code Section 25249.12.

REFERENCE

Health and Safety Code Sections 25249.5, 25249.6, 25249.9, 25249.10 and 25249.11.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OEHHA has determined the proposed regulatory action would not pose a mandate on local agencies or school districts nor does it require reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. OEHHA has also determined that no nondiscretionary costs or savings to local agencies or school districts will result from the proposed regulatory action.

COSTS OR SAVINGS TO STATE AGENCIES

OEHHA has determined that no savings or increased costs to any State agency will result from the proposed regulatory action.

EFFECT ON FEDERAL FUNDING TO THE STATE

OEHHA has determined that no costs or savings in federal funding to the State will result from the proposed regulatory action.

EFFECT ON HOUSING COSTS

OEHHA has determined that the proposed regulatory action will have no effect on housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

OEHHA has made an initial determination that the adoption of the regulation will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

IMPACT ON THE CREATION, ELIMINATION, OR EXPANSION OF JOBS/BUSINESSES

OEHHA has determined that the proposed regulatory action will not have any impact on the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State of California.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The OEHHA is not aware of any cost impacts that a representative private person or business would neces-

sarily incur in reasonable compliance with the proposed action.

EFFECT ON SMALL BUSINESSES

OEHHA has determined that the proposed regulation will not impose any requirements on small businesses. Rather, the proposed regulation will assist small businesses subject to the Act in determining whether or not an exposure for which they are responsible is subject to the warning requirement or discharge prohibition.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OEHHA must determine that no reasonable alternative considered by OEHHA, or that has otherwise been identified and brought to the attention of OEHHA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

OEHHA has prepared and has available for public review an Initial Statement of Reasons for the regulation, all the critical information upon which the regulation is based, and the text of the regulation. A copy of the initial statement of reasons, a copy of the text of the regulation and a copy of the risk assessment which was used by OEHHA to determine the NSRL are available upon request from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated above. These documents are also posted on OEHHA's Web site at www.oehha.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available at least 15 days prior to the date on which OEHHA adopts the resulting regulation. Notice of the comment period on changed regulations and the full text will be mailed to individuals who testified or submitted oral or written comments at the public hearing if one was held, whose comments were received by OEHHA during the public comment period, and who request notification from OEHHA of availability of such change. Copies of the notice and the

changed regulation will also be available at OEHHA's Web site at www.oehha.ca.gov.

FINAL STATEMENT OF REASONS

A copy of the final statement of reasons may be obtained, when it becomes available, from OEHHA's Proposition 65 Implementation Program at the address and telephone number indicated above. The final statement of reasons will also be available at OEHHA's Web site at www.oehha.ca.gov.

TITLE 25. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED RULEMAKING FOR AMENDMENTS TO REGULATIONS GOVERNING THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM SECTION 7064

Notice is hereby given that the Department of Housing and Community Development (Department) proposes to amend regulations governing the State Community Development Block Grant (CDBG) program. This regulatory action would amend regulations which permit the CDBG program the authority to determine in each annual NOFA whether or not multi-year funding awards will be made available. In addition, the proposed amendments would permit CDBG to make more funds available to localities that have not recently participated in the program, and to promote timely expenditure of funds.

The regulations and related documents are available at www.hcd.ca.gov. Your comments may be submitted by mail to:

WRITTEN COMMENTS

A written comment period has been established commencing on December 7, 2007, and ending on January 21, 2008. Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department. All written comments must be received by 5:00 p.m. on that date at the Department's Sacramento Office as follows:

Tad Thomas
Department of Housing and Community
Development
1800 Third Street, Suite 390
Sacramento, California 95811-6900
Telephone (916) 323-1440
tthomas@hcd.ca.gov

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than 5:00 p.m. on January 7, 2008, fifteen (15) days prior to the close of the written comment period.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 7064. Grant Funding.

In 2004 the regulations were amended to permit applicants to select either a one-, two-, or three-year funding award. Therefore, current regulation allows applicants to secure funds for activities over a period of three annual funding awards. The proposed amendment would give HCD, rather than the applicants, the authority to determine in each annual NOFA whether or not multi-year funding awards will be made available.

This regulatory amendment also includes clarifying language in regards to the maximum amount (\$1,000,000) that can be awarded over a two year grant award. The maximum amount is restricted due to current statute that limits annual allocations to only \$500,000 each year. For a contract award that includes two years allocation (\$500,000 each year), the CDBG funding is restricted to a \$1,000,000 limitation.

AUTHORITY AND REFERENCE

The Department of Housing and Community Development is proposing this regulatory activity under the authority provided by Health and Safety Code Section 50406 subdivisions (h) and (n) and 24 CFR 570.489(a)(1)(i).

The regulatory proposal implements, interprets and/or makes specific Health and Safety Code Sections 50406, 50407, and 50825, and Code of Federal Regulations title 24, Sections 570.208(c), 570.483(d), and 570.489(a)(1)(i).

LOCAL MANDATE STATEMENT

The proposed regulatory activity will not impose a mandate on local agencies or school districts. School districts are not eligible to participate in the program and participation by eligible local governments is voluntary.

FISCAL IMPACT ESTIMATE

This regulatory activity does not impose any cost on any local agency or school district that is required to be reimbursed under Part 7 (commencing with section 17500) of Division 4 of the Government Code; neither does the regulatory activity result in any other non-discretionary cost or savings imposed on local agencies or in any cost or savings to any state agency (other than the Department) or in federal funding to the state. School districts are not eligible to participate in the program and participation by eligible local governments is voluntary.

EFFECT ON SMALL BUSINESS

The proposed regulations do not affect small businesses, because they do not mandate or require small businesses to take any prescribed action, and have no financial impact on small businesses.

EFFECT ON HOUSING COSTS

There will not be any impact on housing costs.

INITIAL DETERMINATION OF STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The Department has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

ASSESSMENT STATEMENT

The Department has determined that the regulations will not significantly affect the creation or elimination of jobs in California; the creation of new businesses or the elimination of existing businesses within California; or the expansion of businesses currently operating in California.

STATEMENT OF POTENTIAL COSTS IMPACT ON PRIVATE PERSONS AND BUSINESS DIRECTLY AFFECTED

The Department is not aware of any cost impacts that a representative, private person or business would necessarily incur in reasonable compliance with the proposed action.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed or would be as effective, and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS/AND STATEMENT OF REASONS

The text of the proposed regulations, initial statement of reasons, and accompanying documents are available upon request. All of the information the Department is considering as a basis for this proposal is maintained in a rulemaking file, which is available for inspection at the address noted below. Copies can be obtained by contacting Lenora Frazier at the address and telephone number indicated below. The text of the regulations, Initial Statement of Reasons and related documents will also be available on the Department's web site at www.hcd.ca.gov.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, the Department may file the proposed regulations substantially as described in this notice with the Office of Administrative Law. Any changes that are "sufficiently-related" to the originally proposed amendments will be made available for 15-days prior to the adoption of these regulations. Requests for copies of the regulations can be sent to the address indicated above.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

The Final Statement of Reasons will be made available through the contact persons listed below.

AVAILABILITY OF RULEMAKING DOCUMENTS

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below.

CONTACT INFORMATION

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the comment period. Direct inquiries concerning the substance of the proposed rulemaking action and any requests for the documents should be made to:

HCD: **Tad Thomas**
(916) 323-1440

Back Up **Lenora Frazier**
(916) 323-7288

Address: **Department of Housing and Community Development**
Division Financial Assistance
1800 Third Street, Room 390
Sacramento, Ca 95811-6900

E-Mail: tthomas@hcd.ca.gov — for direct inquiries or for copies of the Notice of Proposed Action, ISOR and the text of the regulations access the Department's website at www.hcd.ca.gov.

Fax No: (916) 323-2815

GENERAL PUBLIC INTEREST

TITLE 2. DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

NOTICE IS HEREBY GIVEN that the prospective contractors listed below have been required to submit a Nondiscrimination Program (NDP) or a California Employer Identification Report (CEIR) to the Department of Fair Employment and Housing, in accordance with the provisions of Government Code Section 12990. No such program or (CEIR) has been submitted and the prospective contractors are ineligible to enter into State contracts. The prospective contractor's signature on Standard Form 17A, 17B, or 19, therefore, does not constitute a valid self-certification. Until further notice, each of these prospective contractors in order to submit a responsive bid must present evidence that its Nondiscrimination Program has been certified by the Department.

ASIX Communications, Inc.
DBA ASI Telesystems, Inc.
21150 Califa Street
Woodland Hills, CA 91367

Bay Recycling
800 77th Avenue
Oakland, CA 94621

C & C Disposal Service
P.O. Box 234
Rocklin, CA 95677

Choi Engineering Corp.
286 Greenhouse
Marketplace, Suite 329
San Leandro, CA 94579

Fries Landscaping
25421 Clough
Escalon, CA 95320

Marinda Moving, Inc.
8010 Betty Lou Drive
Sacramento, CA 95828

MI-LOR Corporation
P.O. Box 60
Leominster, MA 01453

Peoples Ridesharing
323 Fremont Street
San Francisco, CA 94105

San Diego Physicians & Surgeons Hospital
446 26th Street
San Diego, CA

Southern CA Chemicals
8851 Dice Road
Santa Fe Springs, CA 90670

Tanemura and Antle Co.
1400 Schilling Place
Salinas, CA 93912

Turtle Building Maintenance Co.
8132 Darien Circle
Sacramento, CA 95828

Univ Research Foundation
8422 La Jolla Shore Dr.
La Jolla, CA 92037

Vandergoot Equipment Co.
P.O. Box 925
Middletown, CA 95461

PROPOSITION 65

**OFFICE OF ENVIRONMENTAL
HEALTH HAZARD ASSESSMENT**

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY
OFFICE OF ENVIRONMENTAL HEALTH
HAZARD ASSESSMENT**

**SAFE DRINKING WATER AND TOXIC
ENFORCEMENT ACT OF 1986
(Proposition 65)**

**NOTICE OF ADDITION OF DOCUMENTS
AND INFORMATION TO OAL NOTICE FILE
No. Z-07-0619-02**

**AMENDMENT TO TITLE 22, CALIFORNIA
CODE OF REGULATIONS, SECTION 12805,
SPECIFIC REGULATORY LEVELS:
CHEMICALS CAUSING REPRODUCTIVE
TOXICITY**

**[Proposition 65 Maximum Allowable Dose Level
(MADL) for Reproductive Toxicity for
Di(*n*-butyl)phthalate (DBP)]**

December 7, 2007

Pursuant to the requirements of Government Code sections 11346.8(d), 11346.9(a)(1), and 11347.1, the Office of Environmental Health Hazard Assessment (OEHHA) is providing notice that documents and other information which the agency has relied upon in proposing amendments to Title 22, California Code of Regulations, section 12805, have been added to the rulemaking file and are available for public inspection and comment.

On June 29, 2007, OEHHA published a Notice of Proposed Rulemaking (California Regulatory Notice Register, 2007, No. 26-Z, pages 1123-1125; Notice File No. Z-07-0619-02) to adopt regulatory levels for DBP pursuant to Title 22, California Code of Regulations, section 12805¹. The Initial Statement of Reasons

¹ All further references are to Title 22 of the California Code of Regulations, unless otherwise noted.

set forth the grounds for the proposed regulation. Pursuant to the Notice of Proposed Rulemaking, a public comment period of 45 days was provided from the publication of the Notice until August 13, 2007. A total of three sets of written comments were received. These comments cited a number of publications that had not been previously included in the proposed rulemaking file (OAL Notice File No. Z-07-0619-02). In addition, a number of research or review papers became available to OEHHA after the draft MADL document was completed.

The purpose of this notice is to enter all relevant documents into the proposed rulemaking file (OAL Notice File No. Z-07-0619-02). All of the documents on the list below have been reviewed by OEHHA. None of these documents contributed directly to the development of the MADLs and were thus not cited in the main text of the document supporting the MADL (OEHHA, 2007). However, these papers have been reviewed by OEHHA and are sources of relevant information.

These documents are available for inspection at OEHHA's Sacramento office located at 1001 "T" Street, 19th Floor, Sacramento, CA from **December 7, 2007 through January 7, 2008**, between the hours of 8:00 a.m. and 5:00 p.m. OEHHA will accept written comments regarding the documents and other information included in this notice. All written comments must be submitted to OEHHA by e-mail, mail, fax, courier or hand-delivered, no later than 5:00 p.m. on **January 7, 2008** and addressed to:

Susan Luong
Office of Environmental Health Hazard Assessment
Street Address: 1001 I Street, 19th Floor
Sacramento, CA 95814
Mailing Address: P.O. Box 4010
Sacramento, CA 95812
Fax No.: (916) 323-8803
Telephone: (916) 445-6900

Comments transmitted via email should be addressed to: sluong@oehha.ca.gov.

It is requested but not required that hard-copy statements or arguments be submitted in triplicate. All written comments received by **January 7, 2008**, which pertain to the documents listed below will be reviewed and responded to by OEHHA's staff as part of the compilation of the rulemaking file.

Inquiries concerning the action described in this notice may be directed to Susan Luong in writing at the address given above, or by telephone at (916) 445-6900.

Documents and information added to Notice File No. Z-07-0619-02:

Adibi JJ, Perera FP, Jedrychowski W, Camann DE, Barr D, Jacek R, Whyatt RM (2003). Prenatal exposures to phthalates among women in New York City and

Krakow, Poland. *Environ Health Perspect* **111**, 1719-22.

Australian Department of Human Health and Aging (2007). Draft Human Health Hazard Assessment: Di-butyl Phthalate (DBP), (CAS No. 84-74-2) (April 2007). Submitted to OEHHA by the American Chemistry Council. Also available at <http://www.nicnas.gov.au>.

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Clark BJ, Cochrum RK (2007). The steroidogenic acute regulatory protein as a target of endocrine disruption in male reproduction. *Drug Metab Rev* **39**, 353-70.

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Damgaard IN, Jensen TK, Petersen JH, Skakkebaek NE, Toppari J, Main KM (2007). Cryptorchidism and maternal alcohol consumption during pregnancy. *Environ Health Perspect* **115**, 272-7.

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Gwinn MR, Whipkey DL, Tennant LB, Weston A (2007). Gene expression profiling of di-n-butyl phthalate in normal human mammary epithelial cells. *J Environ Pathol Toxicol Oncol* **26**, 51–61.

Hallmark N, Walker M, McKinnell C, Mahood IK, Scott H, Bayne R, Coutts S, Anderson RA, Greig I, Morris K, Sharpe RM (2007). Effects of monobutyl and di(n-butyl) phthalate in vitro on steroidogenesis and Leydig cell aggregation in fetal testis explants from the rat: comparison with effects in vivo in the fetal rat and neonatal marmoset and in vitro in the human. *Environ Health Perspect* **115**, 390–6.

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Holson RR, Freshwater L, Maurissen JP, Moser VC, Phang W (2007). Statistical issues and techniques appropriate for developmental neurotoxicity testing. A report from the ILSI Risk Science Institute Expert Panel on neurodevelopmental endpoints. *Neurotoxicol Teratol*, In Press (doi:10.1016/j.ntt.2007.06.001, accessible at <http://dx.doi.org/>).

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Huang PC, Kuo PL, Guo YL, Liao PC, Lee CC (2007). Associations between urinary phthalate monoesters and thyroid hormones in pregnant women. *Hum Reprod* **22**, 2715–22.

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Hutchison GR, Sharpe RM, Mahood IK, Jobling M, Walker M, McKinnell C, Mason JI, Scott HM (2007). The origins and time of appearance of focal testicular

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Soffritti M, Belpoggi F, Tibaldi E, Esposti DD, Lauriola M (2007). Life–span exposure to low doses of aspartame beginning during prenatal life increases cancer effects in rats. *Environ Health Perspect* **115**, 1293–7.

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Su Y, Simmen FA, Xiao R, Simmen RC (2007). Expression profiling of rat mammary epithelial cells reveals candidate signaling pathways in dietary protection from mammary tumors. *Physiol Genomics* **30**, 8–16.

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tar rats after in utero DEHP exposure. *Toxicol Lett* **170**, 177–84.

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SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

File# 2007–1009–04
BOARD OF BARBERING AND COSMETOLOGY
Schedule of Fees

This regulatory action increases specified fees for barbers, cosmetologists, estheticians, manicurists and electrologists. Please note that the Board withdrew proposed footnotes 3 and 4 from the regulatory text and reserved the right to resubmit on or before April 6, 2008.

Title 16
California Code of Regulations
AMEND: 998
Filed 11/21/2007
Effective 12/21/2007
Agency Contact: April Oakley (916) 575–7102

File# 2007–1009–01
BOARD OF EQUALIZATION
Seizures and Forfeitures

In March, 2007, the State Board of Equalization adopted sections 4500–4703 of Title 18, concerning the Seizures of Tobacco products, effective 4/21/07. This amendment is to provide further clarification with respect to exclusions for licensed distributors.

Title 18
California Code of Regulations
AMEND: 4703
Filed 11/21/2007
Effective 12/21/2007
Agency Contact: Mira Tonis (916) 319–9518

File# 2007–1012–03
CALIFORNIA GAMBLING CONTROL COMMISSION
Interim Key Employee Status While Application Pending

Amendment to Title 4 California Code of Regulations to adopt section 12347 relating to interim key employee status. The proposed adoption of this regulation creates an “interim” status for key employees of non–corporation owned gambling facilities to begin work in a gambling establishment under certain circumstances.

Title 4
California Code of Regulations
ADOPT: 12347
Filed 11/21/2007
Effective 12/21/2007
Agency Contact:
Heather Cline–Hoganson (916) 274–6328

File# 2007–1121–01
DEPARTMENT OF FOOD AND AGRICULTURE
Mediterranean Fruit Fly Interior Quarantine

In this emergency regulatory action, the Department of Food and Agriculture amends its regulation pertaining to the “Mediterranean Fruit Fly Interior Quarantine” to add approximately 13 square miles to its quarantine area in Los Angeles County.

Title 3
California Code of Regulations
AMEND: 3406(b)
Filed 11/27/2007
Effective 11/27/2007
Agency Contact: Stephen Brown (916) 654–1017

File# 2007–1121–04
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This emergency regulatory action will amend section 3433(b) of Title 3, to modify the boundary amendments for the interior quarantine established for the Diaprepes root weevil (*Diaprepes abbreviatus*). The current quarantine encompasses parts of Los Angeles, Orange, and San Diego counties. This proposed emergency modifies the Carlsbad area in San Diego County.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 11/27/2007
Effective 11/27/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1119-02
DEPARTMENT OF FOOD AND AGRICULTURE
Diaprepes Root Weevil Interior Quarantine

This emergency regulatory action will amend section 3433(b) of Title 3, to modify the boundary amendments for the interior quarantine established for the Diaprepes root weevil (*Diaprepes abbreviatus*). The current quarantine encompasses parts of Los Angeles, Orange, and San Diego counties. This proposed emergency modifies the Encinitas, Rancho Santa Fe and Scripps Ranch quarantine areas in San Diego County.

Title 3
California Code of Regulations
AMEND: 3433(b)
Filed 11/21/2007
Effective 11/21/2007
Agency Contact: Stephen Brown (916) 654-1017

File# 2007-1012-02
DEPARTMENT OF SOCIAL SERVICES
Changes to Trustline

This regulatory action will require child care providers to provide a completed Trustline application by the seventh day or as soon as possible after CalWORKs child care services begin. It also requires clearance on the background check before subsidy payments can be made and allows reimbursement payment for up to 120 calendar days for such services rendered by a Trustline registered provider.

Title MPP
California Code of Regulations
AMEND: 47-110, 47-260, 47-301, 47-430, 47-601, 47-602, 47-620, 47-630 REPEAL: 47-610
Filed 11/28/2007
Effective 02/01/2008
Agency Contact: Sandra Ortega (916) 657-3174

File# 2007-1107-03
FISH AND GAME COMMISSION
Harvest of Herring and Harvest of Herring Eggs

This regulatory action establishes fishing quotas by area for the 2007-2008 herring fishing season, establishes season dates and times that fishing operations are allowed, raises the herring gill net and stamp fees,

allows herring permittees in San Francisco Bay to be up to three nautical miles from their nets, requires a written request for transfer or substitution be submitted with the \$50 transfer or substitution fee, and modifies a section to correspond with section 163.5 regarding penalties for late applications.

Title 14
California Code of Regulations
AMEND: 163, 164
Filed 11/28/2007
Effective 12/28/2007
Agency Contact: Sheri Tiemann (916) 654-9872

File# 2007-1010-01
OCCUPATIONAL SAFETY AND HEALTH
APPEALS BOARD
Rules of Practice and Procedure

Occupational Safety and Health Appeals Board proposes amendment to Title 8 regulations for employer appeals from occupational safety and health citations issued by the Division of Occupational Safety and Health. The proposal also adopts a new regulation for motions filed for reconsideration of decisions rendered on those appeals.

Title 8
California Code of Regulations
ADOPT: 392.4 AMEND: 347, 350.1, 355, 359, 359.1, 371.2, 374, 385, 392.5
Filed 11/26/2007
Effective 12/26/2007
Agency Contact: Jeff Mojcher (916) 274-5751

File# 2007-1115-02
PROFESSIONAL FIDUCIARIES BUREAU
Licensing and Application Requirements

Senate Bill 1550 (Figueroa, Chapter 491, Stats. 2006) created the new Professional Fiduciaries Bureau (Bureau) within the Department of Consumer Affairs (Department). The Bureau is required to license and regulate specified fiduciaries under the Professional Fiduciaries Act (Act) that represent a particularly vulnerable consumer population. This emergency regulatory action adopts application and licensing requirements for these professional fiduciaries.

Title 16
California Code of Regulations
ADOPT: 4400, 4402, 4404, 4406, 4420, 4422, 4424, 4426, 4428, 4443, 4500, 4520, 4522, 4540, 4542
Filed 11/26/2007
Effective 11/26/2007
Agency Contact: Mellonie Yang (916) 574-7340

File# 2007-1115-03
PROFESSIONAL FIDUCIARIES BUREAU
Fees

This emergency regulatory action establishes the application fee, initial license fee, renewal fee, delinquency fee and the fee for a duplicate or replacement license for a professional fiduciary.

Title 16
California Code of Regulations
ADOPT: 4580
Filed 11/26/2007
Effective 11/26/2007
Agency Contact: Mellonie Yang (916) 574-7340

**CCR CHANGES FILED
WITH THE SECRETARY OF STATE
WITHIN JUNE 27, 2007 TO
NOVEMBER 28, 2007**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 1

07/09/07 AMEND: 270
06/28/07 AMEND: 2616

Title 2

10/31/07 ADOPT: 18200
10/30/07 AMEND: 1138.10, 1138.30, 1138.72, 1138.90
10/17/07 ADOPT: 2970
10/15/07 ADOPT: 2291, 2292, 2293, 2294, 2295, 2296
10/09/07 AMEND: 1896.98, 1896.99.100, 1896.99.120
10/03/07 ADOPT: 1859.167.2, 1859.167.3
AMEND: 1859.2, 1859.163.3, 1859.167
REPEAL: 1859.167.1
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07/30/07	AMEND: 1591	08/07/07	ADOPT: 86500, 86501, 86505, 86505.1, 86506, 86507, 86508, 86509, 86510, 86511, 86512, 86517, 86518, 86519, 86519.1, 86519.2, 86520, 86521, 86522, 86523, 86524, 86526, 86527, 86528, 86529, 86531, 86531.1, 86531.2, 86534, 86535, 86536, 86540, 86542, 86544, 86545, 86546, 86552, 86553, 86554, 86555, 86555.1, 86558, 86559, 86561, 86562, 86563, 86564, 86565, 86565.2, 86565.5, 86566, 86568.1, 86568.2, 86568.4, 86570, 86572, 86572.1, 86572.2, 86574, 86575, 86576, 86577, 86578, 86578.1, 86579, 86580, 86586, 86587, 86587.1, 86587.2, 86588 AMEND: 11-400c, 11-402, 45-101(c), 45-202.5, 45-203.4, 45-301.1
07/30/07	AMEND: 1591.4		
07/26/07	AMEND: 1586		
07/16/07	AMEND: 1603		
07/10/07	AMEND: 1660		
07/02/07	AMEND: 17952		
Title 19			
10/31/07	AMEND: 2040		
10/01/07	AMEND: 2600		
Title 20			
10/16/07	ADOPT: 2900, 2901, 2902, 2903, 2904, 2905, 2906, 2907, 2908, 2909, 2910, 2911, 2912, 2913		
08/22/07	AMEND: 1602, 1604, 1606, 1607		
07/03/07	ADOPT: 1233.5, 1234, 1236.5, 1311, 1346, 1349, 2508 AMEND: 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1341, 1342, 1343, 1344, 1345, 1347, 1348, 1350, 1351, 2501, 2502, 2503, 2504, 2505, 2506, 2507 REPEAL: 1340		
Title 22		Title 23	
11/20/07	AMEND: 311-1	11/07/07	ADOPT: 3915
11/08/07	ADOPT: 72038, 72077.1, 72329.1 AMEND: 72077, 72329	09/04/07	AMEND: 2053
11/07/07	ADOPT: 66269.1	08/27/07	AMEND: 2200, 2200.2, 2200.3, 2200.4, 2200.6 REPEAL: 2201
11/06/07	AMEND: 51003(e) REPEAL: 51307, 51506.2	08/21/07	ADOPT: 3979.2
10/23/07	AMEND: 4400, 4409.1, 4415 REPEAL: 4440.1	08/20/07	ADOPT: 3979.3
10/18/07	AMEND: 67391.1	08/16/07	ADOPT: 3939.26
10/16/07	AMEND: 10100 REPEAL: 10101	08/15/07	AMEND: 3939.10
10/03/07	AMEND: 67386.5, 67386.6, 67386.11	08/14/07	ADOPT: 3939.25
09/18/07	ADOPT: 64432.3, 64432.8 AMEND: 64413.1, 64431, 64432, 64447.2, 64463.1, 64465, 64481 REPEAL: 64450	08/09/07	ADOPT: 3949.4
09/06/07	ADOPT: 66270.69.2 AMEND: 66270.67 (renumber to 66270.69.5), 66270.69 (renumber to 66270.69.1), 67800.1 (renumber to 66270.69.3), 67800.5 (renumber to 66270.69.4)	08/02/07	ADOPT: 3967
09/05/07	AMEND: 4427	06/27/07	ADOPT: 3002
08/31/07	AMEND: 12805	Title 25	
		07/06/07	AMEND: 5060, 5061, 5062, 5064, 5520, 5521, 5530, 5540.1, 5575
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		08/21/07	ADOPT: 20939 AMEND: 20918, 20919, 20920, 20921, 20923, 20925, 20931, 20932, 20933, 20934, 20937 REPEAL: 20919.5

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47-430, 47-601, 47-602, 47-620,
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